

TWENTIETH DAY

(Wednesday, February 14, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Hudson	Vick
Kelley of Hidalgo	Wagonseller
Kelly of Tarrant	Weinert
Lane	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Carter submitted the following report:

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 58, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLY of Tarrant, Chairman.

Senator Kelley of Hidalgo submitted the following reports:

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 13, have had the same under consideration, and

I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY of Hidalgo, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 141, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be lithographed and not otherwise printed.

KELLEY of Hidalgo, Chairman.

Senator Bracewell submitted the following reports:

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 149, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 162, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 152, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 153, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 169, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 166, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 157, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 164, have had the same under consideration, and I

am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 172, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 174, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 161, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 165, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 160, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 159, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 155, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 158, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was

referred S. B. No. 156, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 170, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 167, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 168, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 154, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 171, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

BRACEWELL, Chairman.

Senator Moffett submitted the following report:

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 36, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Tynan submitted the following reports:

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 194, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be mimeographed and not otherwise printed.

TYNAN, Chairman.

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 191, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

TYNAN, Chairman.

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public

Health, to whom was referred S. B. No. 72, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be lithographed and not otherwise printed.

TYNAN, Chairman.

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 145, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be lithographed but not otherwise printed.

TYNAN, Chairman.

Senator Bell submitted the following report:

Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 20, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BELL, Chairman.

Senator Hazlewood submitted the following reports:

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. C. R. No. 15, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed, and not otherwise printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 26, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it

do not pass, but that the adopted Committee Substitute therefor do pass in lieu thereof, and be printed.

HAZLEWOOD, Chairman.

C. S. S. B. No. 26 was read first time.

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 176, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
February 14, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 177, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senate Resolution 39

Senator Aikin offered the following resolution:

Whereas, Hon. John P. Aubrey, County Judge of Red River County; Hon. Hub Petty, Tax Collector of Red River County; and Hon. A. N. Quarlls, president of the Chamber of Commerce of Clarksville, Texas, are visitors at the Capitol today; and

Whereas, These gentlemen are outstanding citizens; now, therefore be it

Resolved, That they be extended the privilege of the floor for today.

The resolution was read and was adopted.

Senate Bills on First Reading

The following bills, were introduced, read severally first time and referred to the committees indicated:

By Senator Ashley:

S. B. No. 209, A bill to be entitled "An Act to amend Subsection 2 of Section 1, Chapter 451, Acts, Regular Session, 51st Legislature, page 832, Compiled Laws of said Session, creating a Cotton Research Committee

and providing for its membership; prescribing its duties; and declaring an emergency."

To Committee on Agricultural Affairs.

By Senator Weinert:

S. B. No. 210, A bill to be entitled "An Act providing that 'municipality' as used therein means any county, school district, incorporated city, town or village, or other incorporated political subdivision of the State; authorizing any municipality to execute, under certain restrictions, leases for the exploration, development, and production of oil, gas, and other minerals or any one or more of them on, in, or under school land or other land owned or claimed or in which an interest is owned or claimed by the municipality; authorizing any municipality to commit any royalty or other mineral interest owned by it in such minerals or any one or more of them to agreements providing for the operation of areas as a unit for the exploration, development and production of such minerals or any one or more of them; prescribing certain terms and provisions which among others may be included by the governing body of the municipality in such leases and unit agreements; defining 'governing body' as used in the Act; prescribing the manner in which such leases and agreements shall be made and executed; repealing Chapter 279, Acts of the Forty-fifth Legislature, Regular Session, 1937, and all other laws and parts of laws in conflict with the Act; providing a savings and severability clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Weinert:

S. B. No. 211, A bill to be entitled "An Act authorizing an administrator or executor under the control and jurisdiction of any county court of this state to commit royalty and other mineral interests of the estate being administered in oil, gas, and other minerals or any one or more of them to agreements providing for the operation of areas as a unit for the exploration, development, and production of said minerals or any one or more of them where the court finds the unit will be operated in a manner to prevent waste of the minerals or mineral subject thereto and

it is to the best interest of the estate to execute the agreement; prescribing certain provisions which may, among other things, be included in the agreements; prescribing the manner in which said agreements shall be made; providing that leases executed by an executor or administrator and committed to such an agreement shall bind the heirs, legatees, and distributees of the estate and purchasers therefrom, and that the partition and distribution of the estate shall not terminate the lease or agreement; providing this Act shall not require court approval of agreements made by independent executors; providing that the Act shall not invalidate any provision in an oil or gas lease executed by an administrator or executor which authorizes the lessee to pool the land or any portion thereof; providing the Act shall be cumulative; providing a savings and severability clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Bullock:

S. B. No. 212, A bill to be entitled "An Act authorizing district attorneys in judicial districts containing two (2) or more counties to employ a stenographer or clerk; prescribing the compensation of such stenographer or clerk; repealing all laws in conflict herewith; and declaring an emergency."

To Committee on State Affairs.

By Senator Bullock:

S. B. No. 213, A bill to be entitled "An Act to amend Article 1056, Code of Criminal Procedure, as amended, and Article 2428, Revised Civil Statutes, 1925, relating to the compensation of jurors in the justice courts; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Vick:

S. B. No. 214, A bill to be entitled "An Act amending Senate Bill No. 407, Chapter 128, Acts of the Regular Session of the Forty-fourth Legislature, limiting the time in which ad valorem taxes may be collected by the State, any county, municipality, or other defined subdivision of the State; requiring the compilation of a delinquent tax record of all taxes the collection of which is not barred by this Act; providing for the payment

to the Tax Assessor-Collector for compilation of such record; and authorizing the Tax Assessor-Collector to contract for the compilation of such record; authorizing the Comptroller of Public Accounts to prescribe the form of the delinquent tax record, repealing all laws or parts of the laws in conflict herewith; and declaring an emergency."

To Committee on State Affairs.

By Senator Kelly of Tarrant:

S. B. No. 215, A bill to be entitled "An Act amending Paragraph 1 of Section 4 of Article II of House Bill 20, Chapter 173, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, providing that a license as operator of a motor vehicle shall not be issued to any person who is under sixteen (16) years of age; and declaring an emergency."

To Committee on State Affairs.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
February 13, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to H. C. R. No. 16 by viva voce.

H. C. R. No. 20, Granting permission to Stanley P. Flukinger to sue the State of Texas.

H. B. No. 57, A bill to be entitled "An Act amending Article 5139 of the Revised Civil Statutes of Texas, 1925, as amended, providing for County Juvenile Boards in certain counties; providing for severability; providing that this Act shall be cumulative of existing law; and declaring an emergency."

H. B. No. 58, A bill to be entitled "An Act amending Article 2371 of the Revised Civil Statutes of Texas, 1925, providing that in all counties having a population according to the last preceding Federal Census of more than twenty-five thousand (25,000) and less than fifty thousand (50,000) the Commissioners Court may appoint the matron and expend for the maintenance of a rest room for women in the courthouse,

or in courthouse buildings or on courthouse grounds, including the compensation paid the matron, an amount not to exceed One Hundred Twenty-five Dollars (\$125) per month; and declaring an emergency."

H. B. No. 74, A bill to be entitled "An Act authorizing the Commissioner of the General Land Office to reinstate sales of land in Callahan County forfeited prior to September 1, 1945, and on which applications have been filed for reinstatement prior to April 15, 1952, and on which there are no intervening rights of a third person; providing that payment of all principal and interest shall be made prior to reinstatement and declaring an emergency."

H. B. No. 78, A bill to be entitled "An Act amending Acts 1947, 50th Legislature, page 550, Chapter 325, relating to Firemen's and Policemen's Civil Service in cities over 10,000, and commonly known as Article 1269M; providing that the Civil Service Commission may on application grant Military Leave Without Pay, to members of Fire and Police Departments to enable them to enter military service; providing that such leave shall continue during the period of active military service; providing that Civil Service Commission may grant such leave retroactively back to the commencement of the Korean War; providing that any such member receiving leave hereunder may return to his original position in the Department upon the termination of active military service, provided he receives an Honorable Discharge, remains physically and mentally fit and makes application for reinstatement within ninety (90) days after discharge; providing for full seniority credit for time spent in the military service; providing that during the absence of such member on military leave his position in the Department may be filled in accordance with other provisions of the Civil Service Act, subject to the person filling such position being replaced by the member upon military leave upon return from the service; providing that any person so replaced and returning with the Department, by reason of his being replaced by one returning from the military service, shall have a preferential right for subsequent appointment or promotion to the same or similar position; and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act relating to the County Court of Jefferson County at Law; amending Acts 1949, 51st Legislature, Chapter 7, Page 7, Section 3, same being Article 1970-122, Vernon's Annotated Revised Civil Statutes of Texas, 1925, with reference to the salary of the Judge of said Court; providing a saving clause; and declaring an emergency."

H. B. No. 63, Approving and adopting the Canadian River Compact, etc.; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled resolutions:

S. C. R. No. 7, Granting John T. Higgins permission to sue the State.

S. C. R. No. 19, Memorial resolution for Vincent John Lucia.

S. C. R. No. 20, Memorial resolution for R. H. Harvey.

H. C. R. No. 27, Respectfully urging Congress and the President to re-establish the proven method of controlling cotton prices.

Senate Concurrent Resolution 21

Senator Shofner offered the following resolution:

S. C. R. No. 21, Authorizing the State Youth Development Council to execute and deliver to the State Highway Commission of Texas a Right-of-Way Easement to 6.202 acres of land, being a part of the property known as the Gatesville State School for Boys at Gatesville, Texas, for the purpose of constructing and maintaining Farm-to-Market Highway No. 929 in Coryell County, Texas.

Whereas, The State Highway Commission of Texas is desirous of constructing, widening, and improving Farm-to-Market Highway No. 929 in Coryell County, Texas; said road extending along the south side of certain State property known as the Gatesville State School for Boys at Gatesville, Texas; and

Whereas, It is necessary to acquire a right-of-way easement to a strip

of land, containing 6.202 acres, for the purpose of constructing and maintaining a Farm-to-Market Highway to be known as Farm-to-Market Highway No. 929 serving the area between the limits of State Highway 36 and Coryell City, Texas, and being more particularly described by metes and bounds as follows:

Being a part of a tract of 696 acres of land out of the original Henry Farley Survey, Abstract No. 352 and conveyed by S. J. Mings to the State of Texas by deed dated 26th day of August, 1887, and recorded in Volume I, page 912 of the Deed Records of Coryell County, Texas;

Being a strip of land as shown on Right-of-Way Map of the revised location of Farm-to-Market Highway No. 929, filed for record in the Deed Records of Coryell County, Texas, same lying along the south side of above-mentioned 696 acre tract and more fully described as follows:

Beginning at the southwest corner of above-mentioned 696 acre tract, said corner being in the East Right-of-Way line of State Highway 36 and bears South 17°51'W—49.0 feet from station 0+30 on the revised location of Farm-to-Market Highway No. 929;

Thence along the South line of said 696 acres as now fenced, said South line being also the common line between said State School property and the Community Public Service Company and J. O. Brown properties as follows: S 72°26'E—305.00 feet; S 72°37'E—565.00 feet; S 73°16'—174.01 feet; S 72°34'E—1283.40 feet and S 72°37'E—493.95 feet to the southeast corner of before-mentioned 696 acre tract;

Thence N 17°50'E—255.65 feet along the East line of aforesaid 696 acre tract, said East line being also the West line of Mrs. Alice Barnes Taylor's 472 acre tract, to a point in the proposed North Right-of-Way line of the revised location of Farm-to-Market Highway No. 929;

Thence along said proposed North Right-of-Way line as follows: Around a curve to the right whose radius is 676.34 feet and whose tangents bear S 66°11'W and N 72°37'W at the beginning and end of said curve respectively, an arc distance of 486.26 feet and N 72°37'W—2327.40 feet to a point in the West line of aforesaid 696 acre tract, said West line being also the East Right-of-Way line of State Highway 36;

Thence along said West line of said 696 acre tract S 17°51'W—89.00 feet,

crossing the center line of the revised location of Farm-to-Market Highway No. 929 at Station 0+30, to the place of beginning and containing 6.202 acres of land more or less; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the State Youth Development Council of the State of Texas be, and it is hereby, authorized and directed, in consideration of the benefits accruing to the State from the constructing, widening and maintenance of said Farm-to-Market road, to execute and deliver to the State Highway Commission a proper deed conveying to the State of Texas an easement to the said above-described tract of land for use for highway purposes, the form of said conveyance to be approved by the Attorney General; and the Executive Secretary of the State Youth Development Council is hereby authorized, for and on behalf of said State Youth Development Council, to execute, acknowledge and deliver to the State Highway Commission such conveyance.

The resolution was read and was referred to the Committee on State Affairs.

Senate Resolution 41

Senator Lock offered the following resolution:

Whereas, It is the custom to have the photographs of the Governor, Lieutenant Governor, Senators and Secretary of the Senate, hung in the Senate at the end of each Legislative session, now, therefore, be it

Resolved by the Senate of Texas, that a committee of three Senators be appointed to arrange for having photographs made of the Governor, Lieutenant Governor, Senators, and Secretary of the Senate of the Fifty-second Legislature, and that their pictures be hung in the Senate Chamber, and the expense of making the pictures and the hanging shall be paid out of the contingent fund.

The resolution was read and was adopted.

Pursuant to the provisions of Senate Resolution 41, the President announced the appointment of the following committee:

Senators Colson, Chairman; Tynan and Bracewell.

House Resolution and Bills on First Reading

The following bills and resolution received from the House today, were read severally the first time and referred to the committees indicated:

H. C. R. No. 20—To Committee on State Affairs.

H. B. No. 63—To Committee on Water Rights, Irrigation and Drainage.

H. B. No. 78—To Committee on Towns and City Corporations.

H. B. No. 74—To Committee on State Affairs.

H. B. No. 58—To Committee on State Affairs.

H. B. No. 57—To Committee on State Affairs.

Senate Resolution 42

Senator Corbin offered the following resolution:

Whereas, Mr. G. B. Wadzeck, Superintendent of Schools of Lamesa Independent School District, Lamesa, Texas, is in the Capitol; and

Whereas, Mr. Wadzeck is an outstanding educator and citizen of West Texas; now therefore, be it

Resolved by the Senate of the State of Texas, That Mr. Wadzeck be welcome to the Senate of Texas, and be granted the privileges of the floor for the day.

The resolution was read and was adopted.

Message From the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
February 13, 1951.

To the Senate of the Fifty-second Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Board of Directors of the Upper Colorado River Authority for six-year terms to expire January 1, 1957:

L. T. Youngblood of Bronte, Coke County;

Henry C. Ragsdale of San Angelo, Tom Green County;

Rufus W. Foster of Sterling City, Sterling County.

To be members of the Board of Directors of the Central Colorado River Authority for six-year terms to expire January 1, 1957:

Leroy Stockard of Santa Anna, Coleman County;

O. L. Cheaney of Santa Anna, Coleman County;

Frank Hudson of Novice, Coleman County.

To be a member of the Board of Directors of Texas State University for Negroes to fill the unexpired term of Will Clayton, resigned, term to expire February 1, 1955:

Moss Adams, Jr., of Nacogdoches, Nacogdoches County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

House Bill 119 on Second Reading

Senator Bell moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 119 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	McDonald
Bell	Moffett
Bullock	Nokes
Carney	Parkhouse
Carter	Phillips
Colson	Russell
Corbin	Shofner
Fuller	Strauss
Hardeman	Tynan
Hazlewood	Vick
Kelley of Hidalgo	Wagon seller
Kelly of Tarrant	Weinert
Lane	

Nays—1

Martin

Present—Not Voting

Hudson

Absent

Bracewell

Moore

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 119, A bill to be entitled "An Act amending Subdivision 7 of Article 1302 of the Revised Civil Statutes of Texas, 1925, so as to provide that private corporations may be created for the encouragement of agriculture and horticulture by associations for the maintenance of public fairs and exhibitions of stock, farm products and implements, equipment of practices used in agriculture or horticulture; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 119 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and the H. B. No. 119 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Ashley	McDonald
Bell	Moffett
Bracewell	Moore
Bullock	Parkhouse
Carney	Phillips
Carter	Russell
Colson	Shofner
Corbin	Strauss
Fuller	Tynan
Hazlewood	Vick
Kelley of Hidalgo	Wagon seller
Kelly of Tarrant	Weinert

Nays—5

Hardeman	Martin
Hudson	Nokes
Lock	

The bill was read third time.

Senator Hudson offered the following amendment to the bill:

Amend H. B. 119 by adding to Section 1 thereof the following words:

"Provided, however, that such practices or exhibition of equipment shall not be continued for more than six weeks in any one calendar year."

The amendment was lost by the following vote:

Yeas—10

Aikin	Hardeman
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Hazlewood	Martin
Hudson	McDonald
Kelly of Tarrant	Nokes
Lane	Russell

Nays—20

Ashley	Lock
Bell	Moffett
Bracewell	Parkhouse
Bullock	Phillips
Carney	Shofner
Carter	Strauss
Colson	Tynan
Corbin	Vick
Fuller	Wagon seller
Kelley of Hidalgo	Weinert

Absent

Moore

The President then laid the bill before the Senate on its final passage.

The bill was passed by the following vote:

Yeas—25

Aikin	Lane
Ashley	McDonald
Bell	Moffett
Bracewell	Parkhouse
Bullock	Phillips
Carney	Russell
Carter	Shofner
Colson	Strauss
Corbin	Tynan
Fuller	Vick
Hazlewood	Wagon seller
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Nays—5

Hardeman	Martin
Hudson	Nokes
Lock	

Absent

Moore

Presentation by Senator Parkhouse

Senator Parkhouse introduced as visitors to the Senate the following officials of Dallas County:

Mr. Charles C. Ford, City Manager, and H. Louis Nichols, Assistant City Attorney.

Adjournment

On motion of Senator Hardeman, the Senate at 11:35 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

In Memory of
Honorable James F. Houlihan, Sr.

Senator Strauss offered the following resolution:

(Senate Resolution 40)

Whereas, On December 14, 1950, Almighty God in His Infinite Wisdom saw fit to call from this life the Honorable James F. Houlihan, Sr., of Weimar, Colorado County, Texas; and

Whereas, Mr. Houlihan was born in St. Paul, Minn., on January 24, 1886, and had attained the age of 64 years; and

Whereas, He was a member of St. Michael's Catholic Church of Weimar, the Knights of Columbus and of the Elks Lodge; and

Whereas, He had been employed as a railroad brakeman, as an auditor with the U. S. Department of Internal Revenue, and served for four years as Chairman of the State Democratic Executive Committee of the State of South Dakota, served as State Insurance Examiner for South and North Dakota and as Superintendent of Agencies for the Washington National Life Insurance Company and at the time of his death was the owner and manager of the Houlihan Auditing Service with headquarters at Schulenburg, Texas; and

Whereas, James F. Houlihan was outstanding in his profession as well as in many civic undertakings throughout South Texas; and

Whereas, He is survived by four sons, James, Jr., of Schulenburg; Francis and Robert, of Houston; and Terry of the U. S. Military Academy, West Point, New York; two daughters, Mrs. Rowena Johnston of Weimar and Mrs. Melvin Georgi of Houston; three sisters, Mrs. P. C. Bettenburg, Mrs. W. J. Hankee and Miss Mary Houlihan of St. Paul, Minn.; and

Whereas, The State of Texas has lost a most valuable and a fine public-spirited citizen because of his death, now, therefore, be it

Resolved, by the Senate of Texas, that we extend our sincere sympathy to the family of James F. Houlihan, Sr., upon their great loss, that a copy of this resolution be sent to each member of his family and a copy be printed in the Journal and that when the Senate adjourns today it do so in memory of James F. Houlihan, Sr.

STRAUSS

The resolution was read and was adopted by a rising vote of the Senate.